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APR 16 2004

Attorney Docket No.:MSK.P-038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rosen et al.
Serial No.: 09/937,192
Confirmation: 6277
Filed: September 21, 2001
Title: Methods and Compositions for Degradation and/or Inhibition of HER Family Tyrosine Kinases

RESUBMISSION OF APPEAL BRIEF TRANSMITTAL

Mail Stop: Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants called the Board of Appeals to check the status of our Appeal Brief originally mailed on December 15, 2003 and found out that you had not received our documents. We were told to resubmit the documents.

Enclosed are copies of our Appeal Brief Transmittal, Fee Transmittal, Brief for Appellant with exhibits in triplicate, and a copy of our return post card showing that the USPTO received our documents on December 19, 2003. The \$165.00 fee for filing of the Appeal Brief was charged to our American Express on our December statement.

No additional fees are believed due, however the Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 15-0610

Respectfully submitted,

OPPEDAHL & LARSON LLP

Marina T. Larson

Marina T. Larson, PhD, Reg. No. 32,038
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970-468-6600

Cert. Under 37 CFR 1.8
This paper and the attachments herein are being
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Commissioner for Patents, P.O. Box 1450,
Alexandria, Virginia 22313-1450 on

APR 23 2004

Name Lori South

Signature Lori South



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Rosen et al.

Application No.: 09/937,192

Filed: 9/21/2001

Title: Methods and Compositions for
Degradation and for Inhibition of
HER-Family Tyrosine Kinases

Attorney Docket No.: MSK.P-038

Customer No.: 021121

Group Art Unit: 1624

Examiner: B. Kifle

Confirmation No: 6277

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

APPEAL BRIEF TRANSMITTAL

Dear Sir:

Applicants enclose in triplicate the Brief for Appellant in the above-captioned case along with Exhibits A through O. The fee for the filing of the brief is enclosed.

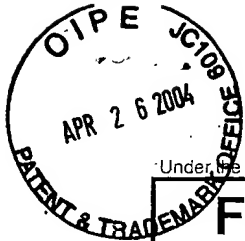
The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account 15-0610.

Respectfully submitted,

Marina T. Larson

Marina T. Larson, PhD
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Cert. Under 37 CFR 1.8	
This paper and the attachments named herein are being deposited with the United States Postal Service with sufficient postage as first class mail and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on	
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Name	<i>Anne Wagner</i>
Signature	<i>Anne Wagner</i>



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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$165.00)

Complete if Known

Application Number 09/937,192
Filing Date 9/21/2001
First Named Inventor Rosen
Examiner Name B. Kifle
Art Unit 1624
Attorney Docket No. MSK.P-038

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 15-0610

Deposit Account Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☐ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20**=	X	=
Independent Claims	-3**=	X	=
Multiple Dependent			=

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	165
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	460	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$165.00)

SUBMITTED BY

Name (Print/Type)	Marina T. Larson, Ph.D	Registration No. (Attorney/Agent)	32038	Telephone	970-468-6600
Signature	<i>Marina T. Larson</i>	Date	12/15/2003		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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